S.B.CIVIL WRIT PETITION NO.3532/2007

Khushaal Singh
v.
The Director, Panchayati Raj Department, Jaipur & Ors.

Date of Order :: 24th September, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. M.S.Rathore for Dr. P.S.Bhati, for the petitioner.
Mr. Sandeep Shah, for the respondents.

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The motion of no confidence is challenged by the petitioner Sarpanch on the count that the membership of two persons out of nine ward panchs at the instance of whom motion of no confidence was initiated, does not survive as they never attended any meeting of gram panchayat.

I found no merit in the petition for writ as even after excluding two members, the strength of seven members is sufficient to bring motion of no confidence as per provisions of Section 37(1) of the Rajasthan Panchayati Raj Act, 1994. According to Section 37(1) of the Act of 1994 a motion of no confidence can be initiated by one third members of a Panchayati Raj Institution and admittedly in the instant matter the strength of seven members is more than one third of the directly elected members of the Panchayati Raj Institution.

Accordingly, the petition for writ is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.